

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2004-466

July 14, 2004

MAINE PUBLIC UTILITIES COMMISSION
Medium and Large Customer
Disclosure Label Distribution
(Chapter 306)

ORDER WAIVING RULE

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

During its last session, the Maine Legislature enacted An Act to Amend the Laws Relating to Requirements for Competitive Electricity Providers. P.L. 2003, ch. 558 (Act). The Act repeals 35-A M.R.S.A. § 3203(4-A)(G) which required competitive electricity providers (CEP) to distribute customer information disclosures to all customers at least once annually and added 35-A M.R.S.A. § 3203(4)(G) which makes the information disclosure requirement applicable only to residential and small commercial customers. P.L. 2003, ch. 558, §§ 3 and 5. The purpose of these statutory amendments is to remove the current requirement that CEPs distribute information disclosure labels to medium and large customers at least once each year. The statutory amendment will become effective on July 30, 2004.

Chapter 306 of the Commission's rules governs information disclosure labels. Section 2(E)(2) of Chapter 306 states that CEPs are required to provide disclosure labels to medium and large customers at least annually. This section of the rule is inconsistent with the Act. Accordingly, Section 2(E)(2) of Chapter 306 is hereby waived pursuant to the waiver provision of the Chapter (Chapter 306, § 4). The waiver is effective July 30, 2004. The requirement that CEPs provide disclosure labels to residential and small commercial customers once each calendar quarter remains unchanged. CEPs are expected to provide resource mix and emissions data similar to that specified in Chapter 306 at the request of any customer. The Commission will amend the provision of Chapter 306 to be consistent with this waiver when it reopens the rule later this year.

BY ORDER OF THE DIRECTOR OF TECHNICAL ANALYSIS

Faith Huntington